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4 Counsel for Plaintiff

5 U.S. DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 SAN JOSE DIVISION

8 RHONDA HARRISON,

9 Plaintiff,

10 vs.

11 CURTIS O. BARNES, P.C., CURTIS O.
BARNES, FORTIS CAPITAL, LLC AND
12 DANIEL RUPP,

13 Defendants.

) Case No.: C07-05529 RS

) **REQUEST FOR ENTRY OF DEFAULT**
) **AGAINST DEFENDANTS**

14 TO: THE CLERK OF THE ABOVE-ENTITLED COURT

15 Plaintiff, RHONDA HARRISON, hereby requests that the Clerk of the above-entitled
16 Court enter default in this matter against the defendants, CURTIS O. BARNES, P.C., CURTIS
17 O. BARNES, FORTIS CAPITAL, LLC, and DANIEL RUPP on the grounds that said
18 defendants have failed to respond to the complaint within the time prescribed by the Federal
19 Rules of Civil Procedure. Plaintiff served the complaint on defendants Curtis O. Barnes, P.C.,
20 Curtis O. Barnes, and Daniel Rupp on November 29, 2007 and on defendant Fortis Capital, LLC
21 on December 10, 2007 as is evidenced by the Certificates of Service filed with the court (Docket
22 #3, Docket #4, Docket #5, and Docket #6).

24 Plaintiff conferred with Robert Barnes, in-house counsel for Defendant Curtis O. Barnes,
25 P.C. On Monday, January 7, 2008 Plaintiff requested Defendants to answer the complaints by

1 Friday, January 11, 2008. At about 5 p.m. on Friday, January 11, 2008, Robert Barnes sent an e-
2 mail claiming Defendants had hired San Francisco attorney, Tomio Narita, to represent them.
3 Tomio Narita failed to contact Plaintiff's counsel. Defendants failed to answer the complaint.

4 On Wednesday, January 16, 2008, Plaintiff's counsel faxed Tomio Narita a letter
5 requesting he file answers to the complaints, otherwise Plaintiffs would take defaults. Tomio
6 Narita failed to contact Plaintiff's counsel. Defendants have made no effort to answer the
7 complaints or otherwise respond.
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10 Respectfully,

11 Dated: 1/23/08

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14 Ronald Wilcox, Attorney for Plaintiff
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